

## ***The Honorable Marsha J. Pechman***

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YOLANY PADILLA, on behalf of herself and her 6-year-old son J.A.; IBIS GUZMAN, on behalf of herself and her 5-year-old son R.G.; BLANCA ORANTES, on behalf of herself and her 8-year-old son A.M.; BALTAZAR VASQUEZ, on behalf of himself;

### **Plaintiffs-Petitioners,**

V.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (“ICE”); U.S. DEPARTMENT OF HOMELAND SECURITY (“DHS”); U.S. CUSTOMS AND BORDER PROTECTION (“CBP”); U.S. CITIZENSHIP AND IMMIGRATION SERVICES (“USCIS”); EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (“EOIR”); THOMAS HOMAN, Acting Director of ICE; KIRSTJEN NIELSEN, Secretary of DHS; KEVIN K. McALEENAN, Acting Commissioner of CBP; L. FRANCIS CISSNA, Director of USCIS; MARC J. MOORE, Seattle Field Office Director, ICE, JEFFERSON BEAUREGARD SESSIONS III, United States Attorney General; LOWELL CLARK, warden of the Northwest Detention Center in Tacoma, Washington; CHARLES INGRAM, warden of the Federal Detention Center in SeaTac, Washington; DAVID SHINN, warden of the Federal Correctional Institute in Victorville, California; JAMES JANECKA, warden of the Adelanto Detention Facility;

## Defendants-Respondents.

No. 2:18-cv-928 MJP

**JOINT STIPULATION  
AND ORDER  
REGARDING MOTION  
BRIEFING SCHEDULE**

**NOTE ON MOTION  
CALENDAR: SEPTEMBER  
4, 2018.**

**JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE**

CASE NO. 2:18-cv-928 MJP

1 Pursuant to Local Civil Rules 7(d)(1) and 10(g), plaintiffs and defendants hereby stipulate  
2 and jointly move the Court for an Order revising the schedule for the filing of defendants' planned  
3 dismissal motion, and plaintiffs' planned amended motion for class certification.

4 Currently defendants' response to plaintiffs' Second Amended Complaint is due  
5 September 5, 2018. After consultation between the parties' counsel, the parties stipulate to an  
6 extension of one day for defendants to file their planned dismissal motion, on September 6, 2018,  
7 due to counsel's travel schedule. Plaintiffs also notify the court that they intend to amend their  
8 class certification motion, and intend to file the amended motion on September 6, 2018. To avoid  
9 unnecessary duplication in briefing, the parties stipulate and agree to the entry of an Order that  
10 sets the following schedule:

- 11 1. Defendants' motion to dismiss will be due September 6 and noted for  
12 September 28. The motion will follow the regular noting schedule, so plaintiffs'  
13 response to the motion to dismiss will be due September 24 and defendants' reply  
14 will be due September 28.
- 15 2. Plaintiffs amended Motion for Class Certification will be filed on September 6, and  
16 noted for September 28. The motion will follow the regular noting schedule, so  
17 defendants' response will be due September 24, and plaintiffs' reply will be due  
18 September 28.

19 The reason for this stipulation is to avoid unnecessary duplication in the briefing schedule.  
20 The parties anticipate that the class certification and dismissal motions may have issues in  
21 common, and believe it is appropriate to have those two motions considered at the same time.  
22 Additionally, having both motions noted for the same day will help consolidate any oral argument  
23 for the Court (if oral argument is granted), and simplify the Court's review of these two motions.

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**JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 1**

1 RESPECTFULLY SUBMITTED this 2<sup>nd</sup> day of September, 2018.  
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4 s/ Matt Adams

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JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 2

CASE NO. 2:18-cv-928 MJP

## ORDER

Based on the foregoing stipulation of the parties, IT IS SO ORDERED. Defendants' motion to dismiss will be due September 6 and noted for September 28. Plaintiffs' response to the motion to dismiss will be due September 24, and defendants' reply will be due September 28. Plaintiffs' amended motion for class certification will be filed on September 6. Defendants' response to plaintiffs' amended motion for class certification is due September 24, and plaintiffs' reply is due September 28.

DATED this 5th day of September, 2018.

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The Honorable Marsha J. Pechman  
United States Senior District Court Judge

**JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 3**

CASE NO. 2:18-cv-928 MJP

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on September 5, 2018, I had the foregoing electronically filed with the  
3 Clerk of the Court using the CM/ECF system, which will send notification of such filing to those  
4 attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in  
5 accordance with the Federal Rules of Civil Procedure.

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8                   */s/ Lauren C. Bingham*  
9                   LAUREN C. BINGHAM, Fl. Bar #105745  
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17                  Attorney for Defendants

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JOINT STIPULATION AND ORDER  
REGARDING MOTION BRIEFING  
SCHEDULE - 4

CASE NO. 2:18-cv-928 MJP